

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14703, of the Board of Trustees of the Corcoran Gallery of Art, pursuant to 11 DCMR 3108.1 and 3107.2, for a special exception under Section 508 to allow the addition of an office building with accessory parking to an existing art gallery and variances from the floor area ratio requirements (Sub-section 531.1), the maximum distance allowed from a point where a court niche is less than 3 feet wide formed by a semi-circular bay and an adjacent property line (Sub-section 536.8), the minimum width and area requirements of a closed court (Sub-section 536.1) in an SP-2 District at premises 500-530 - 17th Street, N.W., (Square 171, Lot 34).

HEARING DATE: December 9, 1987
DECISION DATE: January 9, 1988

DISPOSITION: The Board GRANTED the application by a vote of 5-0 (John G. Parsons, Charles R. Norris, Paula L. Jewell, William F. McIntosh, and Carrie L. Thornhill to grant).

FINAL DATE OF ORDER: April 29, 1988

ORDER

The Board granted the application with conditions by its order dated April 29, 1988. On June 10, 1988, counsel for United Unions, Inc., a party in opposition to the application, filed a motion to stay the effect of the Board's order pending appeal to the D.C. Court of Appeals. In support of the motion to stay, counsel for the opposition argues that denial of the motion would result in irreparable harm because construction would be allowed to proceed and would render its appeal filed with the D.C. Court of Appeals on May 27, 1988 moot. The counsel for the opposition further argued that the granting of the motion to stay would not cause irreparable harm in that it would merely preserve the status quo for both parties.

By submission received on June 24, 1988, counsel for the applicant opposed the motion to stay. Counsel for the applicant argued that United Unions, Inc., had ample opportunity to argue its case, that the clear issues of fact and

law were properly and unanimously decided by the Board, and the motion for stay is unwarranted.


Upon consideration of the motion and response thereto, the Board concludes that counsel for the opposition has failed to demonstrate its entitlement to a stay of the effectiveness of the Board's decision. According, it is ORDERED that the motion to stay is hereby DENIED.

DECISION DATE: July 6, 1988

VOTE: 4-0 (William F. McIntosh, Charles R. Norris, and Carrie L. Thornhill to deny; John G. Parsons not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER: _____

OCT 18 1988

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

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